

109TH CONGRESS
1ST SESSION

H. R. 4546

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of certain offenses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2005

Mr. SHADEGG (for himself, Mr. AKIN, Mr. BASS, Mr. BRADY of Texas, Ms. GINNY BROWN-WAITE of Florida, Mrs. BONO, Mr. CHOCOLA, Mr. CULBERSON, Mr. FLAKE, Ms. FOXX, Mr. FORTENBERRY, Mr. GINGREY, Mr. GOHMERT, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. KENNEDY of Minnesota, Mr. KIRK, Mr. McCAUL of Texas, Mr. McCOTTER, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. PAUL, Mr. NEUGEBAUER, Mr. PENCE, Mr. PITTS, Mr. REICHERT, Mr. RYAN of Wisconsin, Mr. SOUDER, Mr. TERRY, Mr. WESTMORELAND, and Mrs. WILSON of New Mexico) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of certain offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Congressional Pension
3 Accountability Act”.

4 **SEC. 2. DENIAL OF RETIREMENT BENEFITS.**

5 (a) IN GENERAL.—Section 8312(a) of title 5, United
6 States Code, is amended—

7 (1) by striking “or” at the end of paragraph
8 (1), by striking the period at the end of paragraph
9 (2) and inserting “; or”, and by inserting after para-
10 graph (2) the following:

11 “(3) was convicted of an offense described in
12 subsection (d), to the extent provided by that sub-
13 section.”; and

14 (2) by striking “and” at the end of subpara-
15 graph (A), by striking the period at the end of sub-
16 paragraph (B) and inserting “; and”, and by insert-
17 ing after subparagraph (B) the following:

18 “(C) with respect to the offenses described in
19 subsection (d), to the period after the date of convic-
20 tion.”.

21 (b) OFFENSES DESCRIBED.—Section 8312 of such
22 title 5 is amended by redesignating subsection (d) as sub-
23 section (e), and by inserting after subsection (c) the fol-
24 lowing:

25 “(d) The offenses to which subsection (a)(3) applies
26 are the following:

1 “(1) An offense within the purview of—

2 “(A) section 201 of title 18 (bribery of
3 public officials and witnesses); or

4 “(B) section 371 of title 18 (conspiracy to
5 commit offense or to defraud United States), to
6 the extent of any conspiracy to commit an act
7 which constitutes an offense within the purview
8 of such section 201.

9 “(2) Perjury committed under the statutes of
10 the United States or the District of Columbia in
11 falsely denying the commission of any act which con-
12 stitutes an offense within the purview of a statute
13 named by paragraph (1), but only—

14 “(A) if the offense to which such perjury
15 relates was committed after the date of the en-
16 actment of this subsection; and

17 “(B) in the case of the statute named by
18 subparagraph (B) of paragraph (1), to the ex-
19 tent provided by such subparagraph.

20 “(3) Subornation of perjury committed in con-
21 nection with the false denial or false testimony of
22 another individual as specified by paragraph (2).

23 An offense shall not be considered to be an offense de-
24 scribed in this subsection except if or to the extent that
25 it is committed (i) after the date of the enactment of this

1 subsection, and (ii) by a Member of Congress (as defined
2 by section 2106, including a Delegate to Congress).”.

3 (c) ABSENCE FROM UNITED STATES TO AVOID
4 PROSECUTION.—Section 8313(a)(1) of such title 5 is
5 amended by striking “or” at the end of subparagraph (A),
6 by striking “and” at the end of subparagraph (B) and
7 inserting “or”, and by adding at the end the following:

8 “(C) after the date of the enactment of
9 subsection (d) of section 8312, for an offense
10 described in such subsection; and”.

11 (d) NONACCRUAL OF INTEREST ON REFUNDS.—Sec-
12 tion 8316(b) of such title 5 is amended by striking “or”
13 at the end of paragraph (1), by striking the period at the
14 end of paragraph (2) and inserting “; or”, and by adding
15 at the end the following:

16 “(3) if the individual was convicted of an of-
17 fense described in section 8312(d), for the period
18 after the conviction.”.

19 **SEC. 3. CONSTITUTIONAL AUTHORITY.**

20 The Constitutional authority for this Act is the power
21 of Congress to make all laws which shall be necessary and
22 proper as enumerated in Article I, Section 8 of the United
23 States Constitution, and the power to ascertain compensa-

1 tion for Congressional service under Article I, Section 6
2 of the United States Constitution.

